

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

BRIAN K. REINBOLD, :
: :
Plaintiff, :
: :
v. : Civil Action No. 05-47-GMS
: :
UNITED STATES POSTAL SERVICE, :
and NALC LOCAL 191, :
: :
Defendant. :
:

ANSWER AND AFFIRMATIVE DEFENSES

Defendant, United States Postal Service, by and through their undersigned attorneys, Colm F. Connolly, United States Attorney for the District of Delaware, and Patricia C. Hannigan, Assistant United States Attorney for the District of Delaware, hereby respond to the Plaintiff's Complaint as follows:

1. Admitted upon information and belief.
2. Admitted in part, denied in part. To the extent that the allegations in paragraph 2 relate to the United States Postal Service, (the "U.S. Postal Service" or "Postal Service"), the allegations are admitted. To the extent that the allegations in paragraph 2 relate to parties other than the Postal Service, the Postal Service is without sufficient knowledge or information to form a reasonable belief as to the truth of such allegations.

EXHIBIT A

3. Paragraph 3 of the Complaint is an assertion of jurisdiction, to which no response is required. To the extent a response is required, denied.

4. Paragraph 4 is directed at parties other than the Postal Service. To the extent that any of the allegations contained in Paragraph 4 of the Complaint may be deemed to contain allegations of material fact relative to the Postal Service, they are denied.

5. This paragraph contains the Plaintiff's prayer for relief to which no response is required. Answering Defendant specifically denies that Plaintiff is entitled to any money damages or back pay reinstatement, injunctive relief or any other relief.

AFFIRMATIVE DEFENSES

FIRST DEFENSE

The complaint fails to state a claim against the Postal Service upon which relief can be granted.

SECOND DEFENSE

Plaintiff's recovery of compensatory damages under Title VII is limited to Three Hundred Thousand Dollars (\$300,000.00).

THIRD DEFENSE

Plaintiff is not entitled to punitive damages.

WHEREFORE, the Postal Service hereby respectfully requests that Plaintiff's Complaint against the Postal Service be dismissed in its entirety, with prejudice.

Respectfully submitted,

COLM F. CONNOLLY
United States Attorney

By: /s/[Patricia C. Hannigan](#)

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Dated: